

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

Case No.: CR 06-259-1-JO

Date of Proceeding: 12/7/06

Presiding Judge: ROBERT E. JONES

Courtroom Deputy: Cindy Schultz, telephone 503-326-8340

Reporter: Bonita Shumway, telephone 503-326-8188

Tape No: _____

AUSA: Scott M. Kerin

DOCKET ENTRY:

RECORD OF HEARING ON MOTION TO SUPPRESS EVIDENCE AND STATEMENTS AND REQUEST FOR A FRANKS HEARING:

All exhibits submitted by the parties in this matter were received as evidence.

Defendant's request for a hearing pursuant to Franks v. Delaware, 438 U.S. 154 (1978) was granted, and an evidentiary hearing was conducted accordingly.

Defendant's oral motion to unseal exhibits 103-A, 103-B, and 103-C, which were submitted to the court for *in camera* review before the hearing, was granted, and these exhibits were received as evidence.

Witnesses sworn and testimony adduced: Detective Michael L. Davis (retired); Detective Rick Jackson.

Defendant's motion (#15) to suppress evidence and statements is taken under advisement.

DEFENDANT

COUNSEL

<p>(1) <u>TOBY KENNETH HEER</u> <input type="checkbox"/> Present <input type="checkbox"/> O/R <input type="checkbox"/> Bond <input checked="" type="checkbox"/> Custody</p>	<p>(1) <u>CHRISTOPHER J. SCHATZ</u> <input checked="" type="checkbox"/> Present <input checked="" type="checkbox"/> Appointed <input type="checkbox"/> Retained</p>
<p>(2) _____ <input type="checkbox"/> Present <input type="checkbox"/> O/R <input type="checkbox"/> Bond <input type="checkbox"/> Custody</p>	<p>(2) _____ <input type="checkbox"/> Present <input type="checkbox"/> Appointed <input type="checkbox"/> Retained</p>
<p>(3) _____ <input type="checkbox"/> Present <input type="checkbox"/> O/R <input type="checkbox"/> Bond <input type="checkbox"/> Custody</p>	<p>(3) _____ <input type="checkbox"/> Present <input type="checkbox"/> Appointed <input type="checkbox"/> Retained</p>
<p>(4) _____ <input type="checkbox"/> Present <input type="checkbox"/> O/R <input type="checkbox"/> Bond <input type="checkbox"/> Custody</p>	<p>(4) _____ <input type="checkbox"/> Present <input type="checkbox"/> Appointed <input type="checkbox"/> Retained</p>

cc: ☐ Chambers ☐ Probation Office
☐ Counsel of Record ☐ Pretrial Services Office
☐ Jury Clerk ☐ U.S. Marshal's Office

Document No: _____
CRIMINAL MINUTES